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September 4, 2014

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Please reply to: West Chester

Honorable Paul S. Diamond
United States District Court for the
Eastern District of Pennsylvania
6613 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106

Re: Marino v. Usher, et al.
No. 11-6811

Dear Judge Diamond:

Please be advised I represent Francis Malofiy, Esquire on the sanction and fee issues. As to your Order dated August 29, 2014 concerning the discovery time to determine Mr. Malofiy's ability to pay, I am advising the Court that Mr. Malofiy has the ability to pay. Therefore, there will be no need for any depositions or Interrogatories..

Mr. Malofiy is going to file an appeal and have the matters handled on appeal. Therefore, I am requesting the Court enter a final Order so I can file an appeal on his behalf.

I will await Your Honor's advice.

Respectfully yours,


Samuel C. Stretton

SCS:jac

Enc.

Cc: Jonathan D. Davis, Esquire
Michael Eidel, Esquire
Mark S. Lee, Esquire

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Cc: Lance Rogers, Esquire
Bruce L. Castor, Jr., Esquire
Thomas Van Dell
Dante E. Barton
William C. Guice
Francis Malofiy, Esquire